

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

In Re

No. C-15-1397 EMC (pr)

JAMES G. MARLOW,

AMENDED ORDER OF DISMISSALPlaintiff.

This action was opened on March 26, 2015, when the Court received from James G. Marlow a letter concerning his prison conditions. On that date, the Court notified Mr. Marlow in writing that his action was deficient in that he had not attached a complaint and had not filed an *in forma pauperis* application. The Court further notified him that this action would be dismissed if he did not submit a complaint and pay the fee or submit an *in forma pauperis* application within twenty-eight days. On May 13, 2015, the Court dismissed the action without prejudice for failure to submit a pleading showing the Court has subject matter jurisdiction. Docket # 6. That order and accompanying judgment had erroneous reasoning, however, because a complaint had been filed (but had not been delivered to the undersigned) before the action was dismissed. Dismissal is nonetheless required for a different reason: Mr. Marlow failed to pay the filing fee or file a completed *in forma pauperis* application, despite having been notified on March 26, 2015 that his action would be dismissed if he did not pay the filing fee or submit a completed *in forma pauperis*

///

///

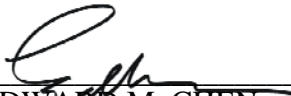
///

///

1 application. Accordingly, this action is **DISMISSED** without prejudice because Mr. Marlow failed
2 to pay the filing fee or submit a completed *in forma pauperis* application. The Clerk shall close the
3 file.

4
5 IT IS SO ORDERED.

6
7 Dated: June 23, 2015

8
9 
EDWARD M. CHEN
United States District Judge